

Amendment No. 1 to SB2399

Finney R.
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2399*

House Bill No. 2808

by deleting the following language from the amendatory language of SECTION 1 of the bill:

or another chemical compound deemed by the commissioner of agriculture by rule to be superior to denatonium benzoate due to cost, toxicity, performance or other factors

AND FURTHER AMEND by deleting Section 2 of the bill in its entirety and substituting instead the following language:

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 131, Part 1, is amended by adding the following language as a new section:

§ 68-131-113.

(a) Any and all antifreeze containing at least ten percent (10%) ethylene glycol sold in this state which is manufactured after January 1, 2009, shall contain a bittering agent in a minimum concentration of thirty parts per million (30 p.p.m.) but not to exceed a maximum concentration of fifty parts per million (50 p.p.m.).

(b) No manufacturer, processor, distributor, recycler or seller of antifreeze containing at least ten percent (10%) ethylene glycol which complies with this section in this state shall be liable for any personal injury, death, property damage, environmental damage or economic loss caused by the required inclusion of the bittering agent to such antifreeze.

(c) Any person violating the provisions of this section commits a Class C misdemeanor, punishable only by a fine of fifty dollars (\$50.00) per occurrence.

(d) This section shall not apply to the sale of a motor vehicle that contains engine coolant or antifreeze.

(e) Upon a determination by a federal authority that denatonium benzoate is unsuitable for use or a determination by a state authority that denatonium benzoate is unsuitable for use based on a threat to health and safety or the environment, the commissioner of agriculture shall establish by rulemaking hearing as required by the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 2, a bittering agent that shall be required instead; provided, however, that the initial rules establishing such bittering agent shall be promulgated as emergency rules in compliance with § 4-5-208.

AND FURTHER AMEND by adding the following language as a new SECTION 1 and by redesignating the subsequent sections accordingly:

SECTION 1. This act shall be known and may be cited as the "Haley Ham Law."